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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/783,611

02/20/2004

Andreas H. Koertel

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EXAMINER

NASRI, JAVAID H

ART UNIT

PAPER NUMBER

2839

DATE MAILED: 04/07/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/783,611	KOERTEL, ANDREAS H.	
	Examiner	Art Unit	
	Javaid Nasri	2839	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-37 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-37 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 20 February 2004 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. ____. |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date <u>2/20/04</u> . | 6) <input type="checkbox"/> Other: ____. |

DETAILED ACTION

Drawings

1. The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the

- a) A twisted pair of solid conductor, per claim 7,
- b) A twisted pair of flexible conductor, per claim 8,

Must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as “amended.” If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either “Replacement Sheet” or “New Sheet” pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Note: These are few examples only. Applicant is required to check all the drawings and correct them accordingly.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1-6, 13-18, 25-30 and 37 are rejected under 35 U.S.C. 102(b) as being anticipated by Kneeland (5,574,815).

Kneeland discloses, **for claims 1, 25 and 37**, a hybrid cable (10) including an optical fiber (12) and a conductor (16, 28), wherein the optical fiber is configured to transmit an optical signal and the conductor is to transmit a power signal (see abstract), **for claims 2, 14 and 26**, the optical fiber and the conductor are disposed internally within the hybrid cable (see figure 2), **for claims 3, 15 and 27**, the fiber and the conductor are coaxial in configuration (see figure 2), **for claims 4, 16 and 28**, the fiber is parallel to the conductor (see figure 1), **for claims 5, 17 and 29**, the conductor comprises copper (see col. 1, lines 48-52), **for claims 6, 18 and 30**, the conductor comprises stainless steel (see col. 1, lines 48-52), **for claim 13**, a hybrid cable including an optical fiber (12) and a conductor (16, 28); a first node; a second node; wherein the first node configured to transmit an optical signal via the optical fiber to the second node, and a power source configured to transmit a power signal via the conductor to the second node.

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4. Claims 1-4, 9-11, 13-16, 21-23, 25-28, 33-35 and 37 are rejected under 35 U.S.C. 102(b) as being anticipated by Desmons (5,228,104).

Desmons discloses, **for claims 1, 25 and 37**, a hybrid cable (see figure 6) including an optical fiber (FO) and a conductor (C1, C2, C3), wherein the optical fiber is configured to transmit an optical signal and the conductor is to transmit a power signal (see col. 4, lines 19-27), **for claims 2, 14 and 26**, the optical fiber and the conductor are disposed internally within the hybrid cable (see figure 6), **for claims 3, 15 and 27**, the fiber and the conductor are coaxial in configuration (see figure 2), **for claims 4, 16 and 28**, the fiber is parallel to the conductor (see figure 6), **for claim 13**, a hybrid cable including an optical fiber (12) and a conductor (16, 28); a first node; a second node; wherein the first node configured to transmit an optical signal via the optical fiber to the second node, and a power source configured to transmit a power signal via the conductor to the second node, **for claims 9, 21 and 33**, the conductor comprises a mesh configuration (see figure 6), **for claims 10, 11, 22, 23, 34 and 35**, an inner protection (G, 11) disposed between the optical fiber (FO) and the conductor (C1), an outer protection (12, 13, GE) disposed on the conductor,

5. Claims 1-4, 10-16, 22-28 and 34-37 are rejected under 35 U.S.C. 102(b) as being anticipated by Pryor et al (4,479,702).

Pryor et al discloses, **for claims 1, 25 and 37**, a hybrid cable (see figure 9) including an optical fiber (50) and a conductor (34), wherein the optical fiber is configured to transmit an optical signal and the conductor is to transmit a power signal (see col. 12, lines 21-26), **for claims 2, 14 and 26**, the optical fiber and the conductor are disposed internally within the hybrid cable (see figure 9), **for claims 3, 15 and 27**, the fiber and the conductor are coaxial in configuration (see

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figure 9), **for claims 4, 16 and 28**, the fiber is parallel to the conductor (see figure 9), **for claim 13**, a hybrid cable including an optical fiber (50) and a conductor (34); a first node; a second node; wherein the first node configured to transmit an optical signal via the optical fiber to the second node, and a power source configured to transmit a power signal via the conductor to the second node, **for claims 10, 11, 22, 23, 34 and 35**, an inner protection (52, 32) disposed between the optical fiber (50) and the conductor (34), an outer protection (70) disposed on the conductor, **for claims 12, 24 and 36**, the hybrid cable comprises: a second optical fiber (50, see figure 9) and a second conductor (34, see figure 9).

6. Claims 1, 7, 8, 13, 19, 20, 25 31, 32 and 37 are rejected under 35 U.S.C. 102(b) as being anticipated by Arroyo et al (5,745,627).

Arroyo et al discloses, **for claims 1, 25 and 37**, a hybrid cable (see abstract) including an optical fiber and a conductor, wherein the optical fiber is configured to transmit an optical signal and the conductor is to transmit a power signal (see abstract), **for claim 13**, a hybrid cable including an optical fiber (50) and a conductor (34); a first node; a second node; wherein the first node configured to transmit an optical signal via the optical fiber to the second node, and a power source configured to transmit a power signal via the conductor to the second node, **for claims 7, 8, 19, 20, 31 and 32**, a twisted pair of solid/flexible conductor (see abstract and figure 1).

Conclusion


7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. U. S. Patents 6,454, 462, 5,677,974 and Patent application 2002/0110339. These documents discloses a hybrid cable.

Contact

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Javaid Nasri whose telephone number is 571 272 2095. The examiner can normally be reached on Monday to Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tulsidas C. Patel can be reached on 571 272 2800 ext 39. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Javaid Nasri
Primary Examiner
Art Unit 2839

JN
Jhn
April 5, 2005